

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24590 of 2018

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Ram Naresh Thakur S/o Late Ram Bilash Thalur R/o Village- Gijash Via
Jaipur estate, P.O- Jaitpur, P.S Jaraija, District Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principle Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna
2. The Principal Secretary, Department of Food and Civil Supplies , Government of Bihar, Patna
3. The District Magistrate, Muzaffarpur
4. The District Supply Officer, Muzaffarpur
5. The Sub Divisional Officer, West Muzaffarpur
6. The Block Supply Officer, Saraiya, District Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Shilpi Keshri Brajesh Kumar, Advocates
For the Respondent/s	:	Mr.Arvind Ujjwal -SC 4

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

5 22-10-2024 1. The petitioner has filed the Writ application for quashing the order dated 22.11.2018 (Annexure-3) passed by Sub Divisional Officer, West Muzaffarpur, whereby and whereunder the license of the PDS shop of the petitioner bearing License No. 23040098 of 2016 has been cancelled.

2. At the outset, the Learned counsel for the petitioner contended that since this matter is squarely



covered under the order dated 02.11.2021 passed in **CWJC No. 12029 of 2021 (Ram Sumer Singh Versus The State of Bihar & Ors.)** by a Co-ordinate Bench of this Court, this Writ petition may also be disposed of on the same term and conditions.

3. The Learned counsel for the respondent-State has not disputed the position as is existing in law.

4. Having regard to the submissions made by the Learned counsel for the petitioner, the present writ petition stands disposed of in terms of the aforesaid order passed in **CWJC No. 12029 of 2021 (supra)** and also considering the fact that though the petitioner has raised the issue of non-supply of enquiry report in his show cause reply dated 15.10.2018 but the same has not stood addressed by the Sub-Divisional Officer, West Muzaffarpur, this Court finds that the same has resulted in violation of the Principles of Natural Justice inasmuch as the petitioner has been denied adequate opportunity of filing a wholesome defence resulting in the impugned order dated 22.11.2018 being



unsustainable in the eyes of law, hence is quashed, however, the matter is remanded back to the Sub Divisional Officer, West Muzaffarpur to proceed afresh, in accordance with law.

5. With the aforesaid observations, this writ petition stands disposed of.

6. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

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